

**WESTON COUNTY BOARD OF COMMISSIONERS**  
**OFFICIAL MINUTES**  
**April 20, 2021**

The regular meeting of the Weston County Board of Commissioners was called to order by Chairwoman Marty Ertman at 9:00 a.m. at the Weston County Courthouse. Commissioners Marty Ertman, Nathan Todd, Ed Wagoner, Tony Barton and Don Taylor, Deputy Attorney Michael Stulken and Clerk Becky Hadlock were present. Tyler Lindholm, State Policy Director for Senator Cynthia Lummis, led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Chairwoman Ertman asked to add Chairman Signature on Airport report to the Consent Agenda and Voucher #67762 discussion under Old Business. Commissioner Wagoner moved to approve the agenda with changes; seconded by Vice-Chairman Todd. Carried.

**APPROVAL OF CONSENT AGENDA**

Commissioner Barton moved to approve the consent agenda, which included the Minutes of April 6, 2021, Executive Session Minutes of April 6, 2021, Executive Session Minutes of April 6, 2021, Board's Signature Proclaiming May 2021 National Preservation Month, Resolution 2021-4 – Amendment to the 2020-2021 Budget, Chairman's Signature on Modification No. 1 between Weston County Sheriff's Office, USDA and Forest, Chairman's Signature on Airport Report; seconded by Commissioner Taylor. Carried.

**THE CONCERNED CITIZENS OF WESTON COUNTY SHERIFF'S OFFICE – CITIZENS GRAND JURY FINDINGS**

Chairwoman Ertman addressed the room that all questions would need to be directed through her. Dan Bau discussed the Citizens Grand Jury findings pertaining to State Statute 18-3-501 along with a petition with 274 names calling for the removal of Commissioner Barton due to the alleged violation of his oath of office. Mr. Bau asked the Board of Commissioners to sign on the Citizens Grand Jury findings. Kari Drost, Chairman of the Weston County Republic Party, had a resolution prepared defining what residency means to the Weston County Republican Party and asked the Board to sign the resolution. Commissioner Barton stated he appreciates this group but the finding has no legal base or force of law. Mr. Barton added that this was drafted as misrepresentation of the actual law to gain signatures. Vice-Chairman Todd stated he visited with Attorney Alex Berger who advised not to sign anything. Deputy Attorney Stulken added HB187 does not affect Commissioner Barton and there is nothing the County can do. Deputy Attorney Stulken also stated the Board has no authority to declare a vacancy or remove a member of the Board. Dan Fouch asked who would remove him. Chairwoman Ertman stated the Governor has the authority to do this per State Statute 18-3-523.

**4-H UPDATE**

Brittany Hamilton, 4-H Youth Development Educator, wanted to give the Board an update on how things were going with 4-H. Currently there are 40 volunteers and 160 members. Ms. Hamilton reported that 4-H camp was scheduled for Memorial Day weekend, but due to too many conflicts, camp will be cancelled for this year. Commissioner Taylor thanked Ms. Hamilton for all of the hard work that she puts in. Ms. Hamilton hopes to possibly do day camps in place of 4-H camp but will re-apply for the \$3,000 towards camp for 2022.

**LIQUOR LICENSE RENEWALS**

At 10:00 a.m., a liquor license hearing was opened. Chairwoman Ertman asked for public comment three times. Hearing none, Chairwoman Ertman closed the liquor license hearing. Deputy County Clerk Amber

Prell let the Board know that there are eight renewals and there were no signatures needed by the Board, just an approval. Commissioner Wagoner moved to approve the liquor license renewals; seconded by Vice-Chairman Todd. Carried.

#### **STATE POLICY DIRECTOR – TYLER LINDHOLM**

State Policy Director for Senator Cynthia Lummis, Tyler Lindholm thanked the Board for the Letter of Support defending the name change of Devil's Tower. Director Lindholm reported that Senator Lummis will have a Congressional Office opening in Sundance sometime in August.

#### **EXECUTIVE SESSION**

Commissioner Wagoner moved to go into Executive Session per W.S. 16-4-405(a)(ii); seconded by Commissioner Barton. Carried. Executive Session began at 10:08 a.m.; regular meeting reconvened at 10:16 a.m. Matters concerning employment were discussed in Executive Session; no action was taken.

Maintenance Foreman Steve Price had an individual in mind to replace him that will do a good job. Commissioner Wagoner would like to go with a trial period. Commissioner Barton authorized Foreman Price to hire a cleaning company; seconded by Commissioner Taylor. Carried.

The Board would like Foreman Price to get a copy of his job description, update it and it will be put on the next agenda. Commissioner Barton moved to authorize Foreman Price, Clerk Hadlock and Chairwoman Ertman to develop a job description for Foreman Price's temporary replacement; seconded by Commissioner Wagoner. During discussion Vice-Chairman Todd asked if there was a cleaning company in town. Foreman Price stated there was a couple. Vice-Chairman Todd also asked Foreman Price if he was given more money if he would consider staying. Foreman Price declined the offer.

#### **OLD BUSINESS**

##### **LAW ENFORCEMENT RAMP/STAIRS UPDATE**

Clerk Hadlock reported that the Fire Marshal had gotten back to her that the Board could replace the ramp only, the stairs were not needed. Commissioner Barton asked if an elevator could be done without stairs and Clerk Hadlock stated she had not asked about this. Vice-Chairman Todd would like to look into a galvanized ramp. Chairwoman Ertman would like to go with just a ramp. Commissioner Wagoner moved to advertise an RFP for the design permitting and construction for the Law Enforcement ramp for any feasible ramp with other ingress/egress options; seconded by Commissioner Barton. During discussion Vice-Chairman Todd asked about advertising in Rapid City. Chairwoman Ertman reminded the Board if they choose one of those from Rapid City, the Board has to give a 5% preference. Commissioner Barton suggested that Clerk Hadlock reach out to other counties to see if they have an RFP or form letter that includes the 5% preference along with a few other provisions. Carried.

##### **ROAD & BRIDGE – MAG CHLORIDE, ROAD SIGNS, TRAFFIC COUNTER**

Chairwoman Ertman wants these items to stay on the agenda so they aren't missed along with the list of questions for the Road & Bridge Superintendent.

##### **VOUCHER #67762 DISCUSSION**

Commissioner Wagoner moved to deny Voucher #67762; seconded by Commissioner Barton. During discussion Commissioner Taylor was told why the Board was denying this voucher. Carried.

#### **NEW BUSINESS**

**COMMISSIONERS' SCHOLARSHIP**

The Commissioner Scholarships will need to be postponed for another two weeks as one of the schools website had the wrong scholarship listed. This will be added under Old Business.

**ALL SCHOOL REUNION SILENT AUCTION @ LIBRARY**

Chairwoman Ertman was asked by the All School Reunion Committee to use the Library for the silent auction during the All School Reunion. Commissioner Wagoner made a motion to allow the All School Reunion to use the lawn or meeting room for their silent auction during the All School Reunion; seconded by Commissioner Taylor. Carried.

**CHAIRMAN'S SIGNATURE ON GERBER SINGLE LAND DIVISION PLAT/FIELDS SINGLE LAND DIVISION PLAT**

Vice-Chairman Todd made a motion to approve the Chairman's signature on Gerber Single Land Division Plat and Fields Single Land Division Plat; seconded by Commissioner Wagoner. Carried.

**BCBS – PLAN SELECTION**

Chairwoman Ertman would like to see if the selection can be done closer to the Board's Budget. Commissioner Barton moved to approve the 2022 BCBS/Delta Dental changes; seconded by Commissioner Taylor. Carried.

**PUBLIC COMMENT**

None

With no further business, the meeting was adjourned at 11:24 a.m.

Marty Ertman  
Chairwoman

Attest: Becky Hadlock  
Weston County Clerk